

In the United States Patent and Trademark Office

1743
RECEIVED
NOV 15 2002

TC 1700

Applicants: Barry J. Marshall et al.

Docket No.: 17127A

Serial No.: 09/977,546

Group: 1743

Confirmation No: 3538

Examiner:

Filed: October 15, 2001

Date: November 6, 2002

For: SYSTEMS FOR PERFORMING MULTIPLE DIAGNOSTIC TESTS

**Supplemental Information Disclosure Statement Pursuant to 37 C.F.R. 1.97(b)
Before First Office Action or Within Three Months of Filing Date**

BH
11/19/02

ASSISTANT COMMISSIONER FOR PATENTS

Washington, D.C. 20231

Sir:

Pursuant to 37 C.F.R. 1.56 and in accordance with 37 C.F.R. 1.97 et seq., Applicants, through and by their attorneys, hereby wish to direct the Examiner's attention to the documents listed on the modified PTO 1449 Form and the copies of those documents presented herewith for the Examiner's review and convenience.

By inclusion of any given document in this Information Disclosure Statement, Applicants in no way admit that such document is effective as prior art against the above-identified application under either 35 U.S.C. 102 or 35 U.S.C. 103.

Additionally, submission of any document is not to be taken as an admission of the materiality of the document to the prosecution of the present application.

The Examiner is requested to review each cited document and personally determine its prior art status.

Applicants recommend that the Examiner conduct an independent search for any and all available material prior art and independently review the results of such search and the documents cited within this Statement.

Applicants request the Examiner, in accordance with 37 C.F.R. 1.97, to indicate and make of record receipt and review of all of these documents by initialing the appropriate box in the accompanying PTO-1449. Applicants request that the undersigned receive a copy of the initialed PTO-1449.


If the Examiner refuses to consider any or all of the herein submitted materials because it is the Examiner's opinion that this Information Disclosure Statement is not in compliance with 37 C.F.R. 1.97, Applicants respectfully request that the Examiner notify the undersigned, in writing, as to the basis of such opinion.

Please charge any prosecutorial fees which are due to Kimberly-Clark Worldwide, Inc. deposit account number 11-0875.

The undersigned may be reached at: 770/587-7183.

Respectfully submitted,


BARRY J. MARSHALL ET AL.

Rv: 

William W. Letson
Registration No.: 42,797

CERTIFICATE OF MAILING

I, William W. Letson, hereby certify that on November 6, 2002, this document is being deposited with the United States Postal Service as first-class mail, postage prepaid, in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231.

By: 

William W. Letson



List of Patents and Publications for Supplemental Information Disclosure Statement

Applicant(s): Barry J. Marshall et al.
Serial No.: 09/977,546
Filed: October 15, 2001

Docket 17127A
Group: 1743
Examiner:

U.S. PATENT DOCUMENTS							
Initials		Doc. No.	Date	Name	Class	Subclass	Filing Date
	A1	4,153,685	05/08/79	Serfontein			
	A2	5,260,057	11/09/93	Cordle et al.			
	A3	6,228,605	05/08/01	Marshall			
	A4						
	A5						
	A6						
	A7						
	A8						
	A9						
	A10						

RECEIVED
NOV 15 2002
TC 1700

Foreign Patent Documents								
Initials		Doc. No.	Date	Country	Class	Subclass	Trans.	
							Yes	No
	A1 -	2 037 811	07/16/80	GB			x	
	A2							
	A3							

Other Documents		
Initials		Author, Title, Date, Pages, etc.
	A1	
	A2	
	A3	
	A4	
	A5	
	A6	

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include a copy of this form with your next communication.

Examiner:

Date Considered: